Winnipeg
Audit Department
Service de vérification

By-Law Amalgamation Audit

June 2018

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AUDIT AT A GLANCE

RECOMMENDATIONS

We recommend that the Chief Administrative Officer:

- *Develop and communicate a corporate strategy and directive that defines corporate goals and objectives for by-law enforcement, that establishes a base level of expectations on how enforcement is to be carried out, and that promotes consistency throughout the City.*
- *Establish a process to periodically review and update the City's corporate strategy and directive for by-law enforcement to ensure it remains appropriate and effective.*
- *Direct each department involved with by-law enforcement to:*
  - *Develop and document, objectives and goals specific for by-law enforcement activities.*
  - *Define measurable performance targets and indicators that can be used to assess performance.*
  - *Track and analyze performance measurement data, including financial metrics, to assess how each enforcement area is performing against its objectives, goals or targets.*
  - *Establish and formally document a process for continuous reporting, review and monitoring of performance results.*
- *Provides a recommendation to Council that the screening, adjudication and collections functions of by-law enforcement remain under the administration of the Winnipeg Parking Authority.*
- *Pursue re-branding efforts and amendments to the Winnipeg Parking Authority's Operating Charter. This should be done in consultation with the Legal Services department and with final approval from Council.*
- *Implement a communication strategy targeted at educating the public on changes to the by-law enforcement process.*

Project Background

The Province of Manitoba has enacted two statutes, *The Municipal By-law Enforcement Act* (MBEA) and *The Provincial Offences Act* (POA). The MBEA transfers the administration process for by-law enforcement to the City of Winnipeg ("the City"). Under the previous system, the Provincial courts not only administered the judicial process for by-law enforcement but also collected fines and court costs resulting from by-law violations. Under the MBEA, the City is responsible for screening, adjudicating, and collecting all payments of fines.

In light of changes made to by-law enforcement legislation, and as a proactive measure, the Audit Department evaluated strengths and opportunities within the current process to provide recommendations on optimal processes and administrative structures going forward.

Findings

The City of Winnipeg does not have a defined corporate strategy and directive for by-law enforcement. We believe a corporate strategy is important to provide overall enforcement goals and to prevent inconsistent and inequitable performance.

Currently there are varying approaches and levels to enforcement with little cohesiveness across different enforcement areas in the City. Some enforcement areas exert tougher enforcement measures through fines while other areas tend to be more compliance driven, issuing more warnings as opposed to fines. A corporate strategy or directive on by-law enforcement can help unify approaches to enforcement and may also increase the level and amount of effort put towards enforcement. Without it inconsistencies in enforcement may remain and that could lead to an underachievement of enforcement objectives.

Majority of by-law enforcement areas do not have defined by-law enforcement goals or clear, measurable performance targets or indicators. Without these, proper evaluation of how effectively operations are performing would be difficult and there may be significant underachievement of services and goals or objectives or inefficient and ineffective use of resources. There is also a need to improve on performance measurement tracking, reporting and monitoring in a formalized and relevant way in order to adequately assess whether enforcement areas are achieving service delivery objectives.

Regarding the structure for by-law enforcement going forward, compared to other departments, the Winnipeg Parking Authority is generally more advanced in their overall infrastructure and information systems, to take on the responsibility of screening, adjudication and collection for by law enforcement. If put elsewhere, until departments are completely familiar and comfortable with the new legislation, there is a risk that processes will not be in accordance with legislation or that screening officers may not fully understand their responsibilities under the new process, impacting service delivery quality.

AUDIT BACKGROUND

In light of a major shift in legislation resulting in a change in by-law enforcement responsibilities, the audit of by-law enforcement amalgamation is to proactively identify strengths and opportunities for improvement within the overall by-law enforcement structure to allow for a more effective, efficient, and consistent approach to enforcement.

- The Province of Manitoba has enacted two statutes, *The Municipal By-law Enforcement Act* (MBEA) and *The Provincial Offences Act* (POA). Both the MBEA and the POA affect the administration processes of by-law enforcement.
- The MBEA transfers the responsibility of administering by-law enforcement to the City of Winnipeg ("the City"). Under the previous system, the courts not only administered the judicial process for by-law enforcement but also collected fines and court costs resulting from by-law violations. Under the MBEA, the City is responsible for screening and adjudicating and collecting all payment of fines. Under the POA, the City is not responsible for screening and adjudication, as it remains under the judicial process, but is responsible for collecting payments of fines except those voluntarily paid to the Court.
- As a proactive measure the Audit department included in the City Auditor's *Audit Plan 2017-2018* a project to evaluate opportunities as a result of the legislation changes.
- The City Auditor's audit plan was adopted by Council on April 26, 2017.
- Further, Council passed a motion on July 19, 2017 that:
    - Those amendments to twelve by-laws, which will allow some by-law offences to be enforced under the MBEA and others to be enforced through tickets issued under The POA, be enacted.
    - The Public Service is directed to report back to Council within one year with an implementation plan for administration of screening and adjudication functions for City by-laws enforced under the MBEA and the collection of all fines and penalties imposed for contraventions of City by-laws under both the MBEA and POA.
    - As a temporary measure until such time as a implementation plan referred to in recommendation 2 is in place, and notwithstanding its Operating Charter, the Winnipeg Parking Authority be authorized to administer screening and adjudication functions for City by-laws enforced under the MBEA and the collection of all fines and penalties imposed for contraventions of City by-laws under both the MBEA and POA.
    - The Proper Officers of the City do all things necessary to implement the intent of the foregoing.
- Our audit methodology is located in **Appendix 1**.
- **Appendix 2** provides a flowchart of the audit process.
- Our risk assessment criteria for each audit area are provided in **Appendix 3**.

AUDIT OBJECTIVES

There were two objectives for this audit

- The objectives of the audit were:
  - To evaluate whether adequate processes, systems and controls are in place to achieve by-law enforcement service delivery objectives.
  - To recommend on an appropriate organizational structure for the Public Service's by-law enforcement processes in light of recent legislative changes.

CONCLUSIONS

The Public Service has an opportunity to strengthen and unify its approach to by-law enforcement by establishing a corporate strategy and directive that will serve as an overall guide for enforcement activities.

- The City does not have a defined corporate strategy for by-law enforcement. We observed that there are no authoritative sources or leading practices that indicate developing a corporate strategy for by-law enforcement is the standard. However, due to a risk of inconsistency and inequity in enforcement, it is important to develop a corporate by-law enforcement strategy that serves as an overall guide for by-law enforcement activities.
- The City does not have defined overall goals and objectives specific to by-law enforcement activities.
- Overall, except for in two areas that make up the majority of by-law enforcement activity, there is a need to improve on performance measurement tracking, reporting and monitoring in order to adequately assess whether enforcement areas are achieving service delivery objectives.

The Winnipeg Parking Authority appears best suited to administer screening, adjudication and collection functions for City by-laws under the MBEA and POA.

- With a focus on rebranding, communication and marketing efforts to overcome perception and independence obstacles, the Winnipeg Parking Authority appears best suited to administer screening, adjudication and collection functions for City by-laws under the MBEA and POA. It has established processes that include emphasis on quality assurance reviews, it is equipped with IT infrastructure that would be difficult to duplicate elsewhere, and currently it has the highest volume of fines overall and highest volume of cases that go through the screening, adjudication and collection process.
- There are opportunities to improve consistency in enforcement levels and overall process efficiencies. This can be accomplished by utilizing resources in enforcement areas that have stronger processes, more resources and more percentage of FTEs allocated specifically to enforcement activities. These areas can take on enforcement from areas that have little to no resources or FTEs available to actively perform by-law enforcement.

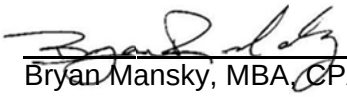
INDEPENDENCE

The Audit Department is classified as an independent external auditor under *Government Auditing Standards* due to statutory safeguards that require the City Auditor to report directly to Council, the City's governing body, through the Audit Committee.

The Audit Department team members selected for the audit have all attested that they do not have any conflict of interest related to the audit's subject matter.

ACKNOWLEDGEMENT

This audit drew on the experience of numerous departments across the Public Service, and the Audit Department extends its appreciation to all of the stakeholders who participated in it.



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City Auditor

June 2018
Date

PROJECT BACKGROUND

1.1. By-Law Enforcement Definition and Background

- By-law enforcement is the process of promoting compliance with by-laws that are established to safeguard and improve the health, safety and well-being of citizens, property and neighborhoods.
- The enforcement activity is the first phase of the by-law enforcement process and is defined as the issuance of warnings, fines, citations and compliance orders. This phase also includes public education initiatives and the act of responding to and investigating complaints.
- Screening and adjudicating infractions is the second phase and is defined as the screening officer hearing process, adjudication process or court hearing process where a judgment is determined.
- Collection is the final phase and is defined by fines revenue collection activities either directly by the City, Province or other (e.g. collection agency).
- Previously by-law enforcement within the City operated under *The Summary Convictions Act* (SCA). The SCA was proclaimed in 1985 and applied "to every case in which any person commits, or is suspected of having committed, any offence or act over which the Legislature has legislative authority, and for which that person is liable, on summary conviction, to imprisonment, fine, penalty or other punishment".
- The SCA outlined the procedure for provincial and municipal offence enforcement, including the service of tickets, fines, collection of unpaid fines and sentencing.
- The City carried out enforcement using enforcement officers who were either City employees or contractors, and fines that were not disputed were paid directly to the City.
- However, when a citizen opted to dispute fines issued for by-law violations, the judicial process moved over to the provincial court system where the case would be heard and decided upon. The courts not only administered the judicial process for by-law enforcement but also collected fines and court costs resulting from by-law violations. Both the judicial process and collection process are part of the overall enforcement process that has changed under the new legislation.

1.2. New By-Law Enforcement Legislation

- The Province of Manitoba has enacted two statutes, the MBEA and the POA, which together provide three options for the enforcement of City by-laws (discussed in section 1.3 to 1.5). The POA replaces the SCA, and all City by-law offences are enforceable through its provisions unless the City chooses to enforce them through the MBEA.
- In addition to *The Parking By-law*, which has been under the MBEA since August 2016, eleven other commonly used by-laws (including over 600 provisions) are now enforced through the MBEA (as of November 2017). They are:
    - *The Alarm By-law*;
    - *The Doing Business in Winnipeg By-law*;
    - *The Neighborhood Livability By-law*;
    - *The Parks By-law*;
    - *The Public Transit By-law*;
    - *The Responsible Pet Ownership By-law*;
    - *The Streets By-law*;
    - *The Vacant Buildings By-law*;
    - *The Water By-law*;
    - *The Winnipeg Building By-law*; and
    - *The Winnipeg Zoning By-law*.

- As previously mentioned, both the MBEA and POA transfer the responsibility for the screening and adjudication process, and payment collection, to the City. Under the previous system, while the City was responsible for enforcing by-laws, the provincial courts not only administered the judicial process for by-law enforcement, but also collected fines and court costs resulting from by-law violations. Under the new system, the City is responsible enforcing, screening and adjudicating, and for collecting all payment of fines except those voluntarily paid to the court under the POA. This includes early payment discounts and fines that have to be collected through liens and other mechanisms.
- In addition, the City is responsible for administering all aspects of the MBEA system, including hiring and paying for screening officers, providing space to and paying provincially-appointed adjudicators.

1.3. Process for *The Municipal By-law Enforcement Act*

- Under the MBEA process, someone who receives a penalty notice has three options: pay the early payment discount, pay the full fines after the early payment deadline has passed, or challenge the penalty notice.
- Citizens who wish to challenge a penalty notice can make a request to have it reviewed by a City-appointed screening officer. The screening officer can cancel the penalty notice or reduce the amount of the penalty using criteria set out in the relevant by-law. If the citizen disagrees with the screening officer's decision, he/she has the option to challenge the penalty notice further by having the matter considered by an adjudicator, an individual who is appointed by the Province. There is a fee payable to file a request for adjudication, which according to the Act must not exceed $25.
- The City is able to choose to have the MBEA process apply to any non-parking By-law offences with set fines of $1,000 or less.

1.4. Process for Tickets under *the Provincial Offences Act*

- Although it is more formal than the MBEA process, the POA ticket process is similar in some ways. As with the MBEA, a POA ticket is only available to be used when a set fine has been established for an offence although a POA ticket fine can be greater than $1,000. As with the MBEA, the City may have provided an early payment option.
- Under the POA, if a person wants to plead guilty but challenges the amount of the fine, he/she can present his/her case to a Judicial Justice of the Peace (JJP) at the Provincial Court. Individuals who wish to plead "not guilty" will be scheduled to have a hearing at the Provincial Court. A hearing requires that the City prosecutor prove the City's case against the person beyond a reasonable doubt.

1.5. Process for Information under *the Provincial Offences Act*

- A POA Information is the most formal of the three processes. It involves an enforcement officer swearing an Information (giving information under oath about an alleged offence) before a JJP so that a prosecution can be initiated. Once an Information is sworn, the alleged offender is required to attend Court. In fact, an offender's failure to attend could result in a warrant being issued for his/her arrest. Although this process can be used when a set fine is established, it is the only process that can be used when no set fine is established (e.g. when a minimum or maximum fine or a range of fines is set out or when no specific fine at all has been established for an offence).
- Under this system, the person charged with an offence must attend court. At that point, he or she has an option to plead guilty or to schedule a hearing. A hearing requires that the City prosecutor prove the case against the person beyond a reasonable doubt.

1.6. Current By-law Organizational Structure

- The City's by-law enforcement services organizational structure is fairly decentralized across varying branches within City departments. (In a decentralized structure, the decision-making authority is distributed and the departments and divisions may have different degrees of independence.)
- The majority of by-law enforcement branches have staff ranging from around 4 to 50 staff, they include by-law enforcement officers, supervisors/managers and administrative/clerical staff. The percentage of hours allocated to enforcement vary from as low as 4% to 100% (percentages in a lot of branches are based on estimates as this sort of data is not tracked). See **Appendix 4**.
- Council maintains overall authority for setting by-laws for the City.
- Oversight with respect to by-law enforcement processes is typically managed by leadership and supervisory teams. Enforcement officers generally retain authority to use discretion when issuing warnings, fines, citations, and responding to and investigating complaints. Guidelines and training is provided to enforcement officers in the use of discretion.
- In recent years, there has been focus on centralizing management of general/community by-laws with the creation of the Community By-law Enforcement Services Division (CBES) in 2008. CBES is the City's primary general by-law and community standards by-law branch. It oversees by-laws such as neighborhood liveability, vacant buildings, doing business in Winnipeg, outdoor smoking, graffiti control, and pesticide control. There are other departments/branches that manage specialized by-laws, for example the Winnipeg Fire Paramedic Services ("Fire and Paramedics") manages fire-related by-laws, the Planning, Property and Development Department (PP&D) manages building and zoning by-laws and the Winnipeg Parking Authority (WPA) manages parking by-laws.
- The WPA is viewed as distinctly separate from other by-law branches from the perspective of by-law enforcement. CBES' and other enforcement areas objectives include improving by-law compliance, neighborhood liveability and public education. WPA enforcement on the other hand issues a higher volume of tickets to promote safety and traffic flow compliance. Enforcement through ticketing and citations generates significant volumes and revenue for the City, as is the case with other cities around the country. The WPA also conducts some public education and communication campaigns to enable public awareness on specific enforcement items.
- In August 2016 the WPA was first to adopt a new administrative structure and new processes under the MBEA. The legislation was adopted by the other by-law branches in November 2017.
- Because the WPA led the charge in adopting the new legislation, they made some additions to staffing and infrastructure. Five screening officer positions were created and filled; information technology was acquired and office renovations were completed to construct new screening officer and adjudication offices. For the interim period of a year, screening and adjudication, and collection for all enforcement areas was centralized under the WPA as they were already set up for it. Enforcement activities remain decentralized in each by-law branch.

1.7. Structures in Other Jurisdictions

- In a centralized structure, the top layer of management has most of the decision-making authority and has tight control over departments and divisions. Enforcement will typically be organized under one body.
- In a decentralized structure, the decision-making authority is distributed and the departments and divisions may have different degrees of independence.

- In a hybrid structure, an organization displays characteristics of both a centralized and a decentralized structure.
- There doesn't appear to be any one common model across jurisdictions, but the structures chosen appear to fit the specific needs of each jurisdiction.

City of Calgary

- The City of Calgary's by-law services tend to be delivered using a hybrid model. While there are by-law enforcement activities happening in branches such as Water Services and Transit, Parking Services are organized under a separate Calgary Parking Authority and the majority of by-law offences are being managed within the Community Standards Branch.
- The Community Standards Branch has a centralized approach to by-law management, it is responsible for maintaining and enforcing City-services related to Animal Services, Prevention & Public Awareness, Compliance, Taxi & Livery, and Community By-law Services. The branch strives to be proactive in educating citizens in its services in an effort to reduce the volume of by-law violations committed and complaints received.
- An important element of Calgary's structure is that it evolved and became more centralized over time in a planned, phased-in approach, rather than being centralized all at once. Noteworthy is that Calgary moved specialized by-law enforcement officers from its Planning and Development area into the Community Standards Branch, but discovered that this did not work effectively. On a day-to-day basis, these specialized officers have much more in common with the Planning and Development department, and thus, were moved back.

City of Edmonton

- The City of Edmonton's by-law enforcement services operates using a centralized model. By-law services are organized under the Community Services Branch found within the Citizen Services Department. The branch is further organized into the following sub-branches.
  - Animal Care & Pest Management
  - Capacity City Clean Up
  - Community Peace Officers
  - Community Relations
  - Complaints & Investigations
  - Edmonton Combative Sports
  - Parking Services
- While other departments may also engage in by-law enforcement, such as Urban Form & Corporate Strategy Department (urban development and zoning services) and City Operations Department (for City Hall and Transit Services), the large majority of by-law enforcement is managed under Community Services Branch.

City of Hamilton

- The City of Hamilton's by-law services department operates using a hybrid, but fairly decentralized model. By-law services are organized under the By-law and Licensing Services Branch which is found within the Planning & Economic Development Department. The Branch is divided into four service lines which include:
  - Licensing
  - Animal services
  - Municipal Law Enforcement
  - Lottery

- Parking is delivered through the Transportation Department. Some by-laws are enforced through other departments such as Health (e.g., smoking by-laws) and Buildings (e.g. building by-law code). Hamilton appears to have a structure that is more similar to the current structure in Winnipeg. Other smaller specialized by-law enforcement groups dispersed in separate departments include the Transportation Department, Home, Property, and Development Department, and Building Department (e.g., building engineering & zoning, building inspection, and plan examination).

City of Ottawa

- The City of Ottawa has a hybrid model and is moving toward centralization. The City of Ottawa's by-law services fall under the By-law & Regulatory Services Branch, which is a part of the City of Ottawa's Emergency and Protective Services Department. The Branch is organized with 4 units which include:
  - Parking Enforcement
  - By-law Regulatory Enforcement
  - Operations Support
  - Dispatch, Logistics and Training
- There are a large number of individual business units. These include specialized enforcement units for specific by-law areas, including vehicle-for-hire, property standards, parking, and generalist roles, for which there is little reported difference in skill sets. It also includes disparate functions not directly related to enforcement, including policy development and by-law review, which the Branch may not have the appropriate capabilities to deliver effectively.
- The structure in enforcement is described as very hierarchical with each level of staff having a clear responsibility to their managers and supervisors at the level above them.

OPERATIONAL ANALYSIS

2.1. Corporate Strategy on By-Law Enforcement

Issue

- Does the City of Winnipeg have a defined corporate strategy and directive for by-law enforcement activities?

Conclusion

- The City of Winnipeg does not have a defined corporate strategy and directive for by-law enforcement. We believe a corporate strategy is important to provide overall enforcement goals and to prevent inconsistent and inequitable performance.

Analysis

- We discussed with senior City officials and senior management whether the City had a corporate strategy and directive on by-law enforcement.
- In addition, through an external consultant we obtained information on what other jurisdictions had in place for a corporate strategy on by-law enforcement.
- Consistent with the findings reported by the consultant on other jurisdictions, we were informed that there are no corporate policies or directives specifically on by-law enforcement at the City. However, *OurWinnipeg* has quality of life goals and strategies under which by-law enforcement activities could be categorized.
- Currently, the enforcement function of by-law enforcement is decentralized. From discussions with management and staff we noted that some service areas have formal enforcement processes in place that have been documented and are being followed by enforcement designated individuals, while other service areas do not have formal processes in place or do not carry out enforcement at all. We were told that in some cases resources were limited and in other cases by-law enforcement happened to be a very small part of overall job responsibilities.
- Departments carry out enforcement to varying degrees. In the Water and Waste Department ("Water and Waste"), three out of four divisions enforce applicable by-laws; in the Public Works Department ("Public Works"), two out of three divisions enforce; and in Winnipeg Transit ("Transit"), there has been very little enforcement in the past few years. (In Transit, three tickets and one ticket were issued in 2015 and 2016 respectively.) No issues relating to level of enforcement activities were noted within the WPA, CBES, Fire and Paramedics, PP&D, and the Animal Services Agency ("Animal Services").
- Also noted from our discussions with management is that some enforcement areas exert tougher enforcement measures through fines while other areas tend to be more compliance driven, issuing more warnings as opposed to fines. For example, from discussion with management from the Public Works department, prior to 2017, their chosen enforcement approach was to issue warnings. No common offence notice was issued and as at the time of our discussion in August of 2017 only one had been issued. Staff from Public Works indicated that this chosen path to enforcement was largely due to the amount of time that may have been required of them to attend court if fines were contested.
- While both approaches to enforcement are appropriate (fines and warnings), there is a risk that enforcement may not be fairly applied if there is no directive to guide on when the different levels of corrective measures are to be applied. Also, there is a risk that less strict measures may not motivate compliance, a key objective of enforcement, to an impactful enough degree as a fine would.

- A consistent approach to enforcement measures taken and circumstances under which they are applied, will unify enforcement throughout the City.
- A corporate strategy or directive on by-law enforcement will set the corporate goals and objectives for by-law enforcement and will also establish expectations of enforcement areas in their approach and strategy towards meeting those objectives. This will help unify approaches to enforcement and promote consistency in service delivery efforts.
- The objectives and goals would be to measure service performance and not to establish compliance quotas.
- The components of a corporate strategy will include developing overarching policies and procedures and will also include defining overall goals and objectives for enforcement. These goals and objectives should be communicated to each enforcement area to promote a cohesive and unified approach towards enforcement and so that in turn by-law enforcement areas can endeavor to align their goals and objectives to overall corporate goals and objectives. It is important to note that enforcement goals and objectives may differ based on the service area or by-law enforced but should also promote consistency across similar types of service areas.
- As part of the creation of corporate policy for enforcement, it is also important to review the current by law fine structure. Directives on processes and expectations, to those charged with presenting fine structures (senior City officials and the Legal Services Department), can be included in the corporate policy and can include a schedule for review to ensure fines continue to remain appropriate. Assessing the current fine structure may help Council determine to what extent the City is recovering enforcement costs; whether the current fine levels are acting as a deterrent to promote compliance; and whether the costs associated with additional responsibility under the new legislation will be covered by current fine levels.

RECOMMENDATION 1			
We recommend that the Chief Administrative Officer develop a corporate strategy and directive that defines corporate goals and objectives for by-law enforcement, that establishes a base level of expectations on how enforcement is to be carried out, and that promotes a consistent enforcement approach throughout the City. *The intent of the goals and objectives is to measure service performance and not to establish compliance quotas.*			
RISK AREA	Business Process	**ASSESSMENT**	High
BASIS OF ASSESSMENT	If the various enforcement areas are not consistent in their approach to by-law enforcement, it may lead to significant loss of client trust, negative media attention, strong criticism from Council and possibly underachievement of enforcement objectives		
MANAGEMENT RESPONSE			
A working group will be initiated to develop a draft corporate strategy and administrative directive for review and approval of the Chief Administrative Officer. The draft strategy and administrative directive will be completed and approved for implementation within one year. A communication plan will also accompany the strategy that outlines key messages and delivery mechanisms on how the by-law enforcement change will be communicated to affected staff within departments and Special Operating Agencies.			

Department heads and Special Operating Agency Chief Operating Officers (COOs) will identify a single representative to participate on the working group. An internal resource, or external consultant, will need to be identified to lead this effort.	
IMPLEMENTATION DATE	Q4 2019.

RECOMMENDATION 2			
We recommend that the Chief Administrative Officer communicate the corporate strategy and directive to all departments and their respective by-law enforcement areas.			
RISK AREA	Business Process	**ASSESSMENT**	Moderate
BASIS OF ASSESSMENT	Effective communication keeps people informed and promotes understanding, which may lead to greater buy-in, success and less pushback.		
MANAGEMENT RESPONSE			
Upon completion of developing a corporate strategy and directive that defines corporate goals and objectives for by-law enforcement, an administrative directive will be circulated to all departments and Special Operating Agencies. The communications plan will be deployed to ensure all required staff understands the change in by-law enforcement approach, how it affects them directly, and expectations to monitor ongoing compliance and success of the new approach.			
IMPLEMENTATION DATE	Q1 2020.		

RECOMMENDATION 3			
We recommend that the Chief Administrative Officer establish a process to periodically review and update the City's corporate strategy and directive for by-law enforcement to ensure it remains appropriate and effective. This periodic review should include an assessment of fine structures and levels for appropriateness and effectiveness in achieving by-law enforcement objectives.			
RISK AREA	Business Process	**ASSESSMENT**	Moderate
BASIS OF ASSESSMENT	There is no defined corporate strategy or documented directives for by-law enforcement and by extension there is no process to review and update the strategy and directive.		
MANAGEMENT RESPONSE			
The administrative directive for the corporate by-law enforcement strategy will include a timeline for when a review and update of the strategy will take place.			
IMPLEMENTATION DATE	Q4 2019.		

2.2. Key Corporate By-Law Enforcement Goals

Issue

- Does the City of Winnipeg have defined overall goals and objectives for by-law enforcement?

Conclusion

- The City of Winnipeg does not have defined overall goals and objectives specific to by-law enforcement activities.

Analysis

- The Audit Department performed research to help define some key overall goals and objectives for by-law enforcement. These key objectives can be used to determine performance measures that can be tracked and used to assess how well enforcement areas are performing.
- Without defined by-law enforcement goals and objectives, it may not be clear what results each enforcement area is trying to achieve.
- We found in our research that, though having an overall corporate strategy for by-law enforcement is not common, a few sources covered by-law enforcement goals. Information used to study key by-law enforcement goals was derived from credible publicly available information. Reference information for these sources is included in **Appendix 5.**
- By-law enforcement at the City occurs through three functions: enforcement, screening and adjudication, and collection. Using research information and our knowledge of the enforcement process within the City and in other jurisdictions, the key goals, broken down by function, are defined below. Performance indicators that can be used to measure performance under each goal are included in **Appendix 6.** These indicators were compared to what is currently in existence at the City based on the information provided to us by management in each enforcement area.

Enforcement

- Goal 1: Compliance with by-laws
  - A by-law is a regulation made by a local authority, in this case the City of Winnipeg. It sets a standard of behavior that promotes healthy, safe and thriving communities for all citizens.
  - To achieve this objective, the public must comply with the by-laws passed by the City. If public compliance increases or is maintained at a high percentage, it indicates that enforcement activities (education outreaches, warnings or fines) are effective.
- Goal 2: Fair Enforcement
  - By-laws vary and cover a broad range of topics from parking to building permits to noise control. As a result, approaches to enforcement may vary and also the severity on how infractions are dealt with may also vary. However, regardless of these differences, citizens should be able to expect that enforcement officers will interpret, apply and enforce bylaws fairly and reasonably.
  - A Corporate wide strategy to by-law enforcement helps set up overall expectations and directives for by-law enforcement that will serve as a foundation for a more consistent and fair approach to enforcement.

- Goal 3: Achievement of Service Standards
  - From corporate enforcement objectives and goals, departments can define more specific goals and targets based on the nature of by-laws they are responsible for.
  - To achieve this objective, measurable performance targets and indicators will need to be defined and performance against these targets monitored.

Screening and Adjudication

- Goal 1: Fairness
  - Similar to the concept of fairness under the enforcement function, fairness under screening and adjudication speaks to the expectation that screening officers and adjudicators will not only interpret by-laws fairly, regardless of their personal differences, but will also decide on cases in an unbiased way, providing adequate and appropriate reasons for decisions.
  - The perception of fairness may lead to more fines being resolved at the screening officer level as opposed to going before an adjudicator.
- Goal 2: Consistency
  - Consistency is complementary to fairness; they go hand in hand. Screening and adjudication processes should be standardized so that they can be applied consistently. Decisions will also need to be relatively consistent and based on principles of the enabling by-law, appropriate evidence and supporting documents. This may increase the confidence citizens have in the system and the process.
  - Overall, the process or the decisions made should not vary from screening officer to screening officer. By-laws should be interpreted and applied the same way.
- Goal 3: Achievement of Service Standards
  - This ensures screening officers meet a defined level of service based on their authority under the MBEA and the enabling by-law.

Collection

- Goal 1: Completeness and Integrity of Information
  - This is likely to be a highly automated process as ticket payments are typically received online, or over the phone. As a result, the completeness and integrity of information available regarding infractions (date, amount due, decision rendered if gone to screening, etc.) will be key to ensure timely collection of fines.
- Goal 2: Timely Collection
  - This is highly dependent on the completeness and integrity of information on tickets. In order to collect ticket payments in a timely manner, inaccuracies and errors on tickets should be exceptions and not the norm. This can be accomplished through the implementation of effective control systems.

RECOMMENDATION 4			
We recommend that the Chief Administrative Officer include key goals and objectives in the corporate by-law enforcement strategy.			
RISK AREA	Business Process	**ASSESSMENT**	High

BASIS OF ASSESSMENT	The City of Winnipeg does not have defined corporate goals and objectives specific to by-law enforcement activities that can be used to assess performance of enforcement areas across the City.
MANAGEMENT RESPONSE	
The corporate by-law enforcement strategy will include key goals and objectives to assess performance of enforcement areas across the City. The goals and objectives will be aligned to expected levels of service relative to the service delivered by the respective departments and Special Operating Agencies. For clarity, the goals and objectives will be specific to the success of the by-law enforcement approach but will not include targets for enforcement related activities such as targets for number of penalty notice/tickets issued.	
IMPLEMENTATION DATE	Q4 2019.

2.3. Performance Management Systems

Issue

- Are there adequate performance management systems in place to achieve by-law enforcement service delivery objectives?

Conclusion

- In six of eight by-law enforcement areas (Public Works and Water and Waste – 1 division – being the exceptions) there are enforcement processes and systems in place. Within those same six areas training is in place for by-law enforcement officers. However, in the majority of enforcement areas (CBES and the WPA being the exceptions), there is a need to improve on performance measurement tracking, reporting and monitoring in order to adequately assess whether enforcement areas are achieving service delivery objectives.

Analysis

- The Audit department discussed performance management systems with senior staff and key staff members from each by-law enforcement area. We requested information on performance measurement data being tracked and reported to management for review and monitoring purposes.
- Our assessment included answering questions such as:
    - Do performance targets and indicators provide relevant and useful information on whether by-law enforcement goals are met?
    - Are goals and targets competitive in comparison with externally derived benchmarks?
    - What controls are in place to monitor enforcement activities?
- Our consultant obtained by-law enforcement services data and performance measurement data where possible from the cities surveyed.
- The consultant reported that data quality (performance information relevant to established goals and objectives) and quantity relating to by-law enforcement performance measures across Canada was limited. In addition, the consultant's ability to obtain comparable performance information was limited.
- Due to the limited performance measurement data available, we were unable to compare the City of Winnipeg's performance with other jurisdictions.

Department Level By-Law Enforcement Goals and Objectives

- From the analysis of information we received from the respective by-law enforcement areas, we observed that the majority of enforcement areas do not have goals that are defined and developed specifically for their by-law enforcement function.
- PP&D has defined one by-law enforcement specific goal to achieve timely enforcement. This effectiveness goal can be found in the Operating Budget.
- Two other enforcement areas, Animal Services and Fire and Paramedics, have defined general goals focusing on utilizing compliance to achieve a standard of life, but nothing specific to by-law enforcement. These goals were found in their respective business plans.

- Without defined goals and objectives, there is a risk that enforcement areas will not be effective or efficient. Enforcement areas should endeavor to define goals and objectives. It is important that these goals set at the department level align with the overall corporate goals and objectives for by-law enforcement (Section 2.2 of our report). However, department goals should be more detailed than the corporate goals as they are to be tailored and unique to each enforcement area and based on the nature of by-laws they enforce.

Performance Targets and Indicators

- A critical part of planning and setting objectives is to include measurable performance targets and indicators to be used in assessing whether service delivery objectives are being met.
- CBES has a list of defined indicators that they report on; the WPA also has indicators that they report on. Outside of these two areas, other enforcement areas provided very little or no information at all on performance indicators.
- We note that several enforcement areas report statistics to Municipal Benchmarking Network Canada (MBN Canada), which collects information to compare cities across Canada. However, the statistics provided to MBN Canada are mainly input and output statistics that do not communicate how well an organization is performing against its goals.
- Without clearly defined goals and objectives, the risk is that indicators being tracked may not be relevant to determine whether intended results are being achieved. There is also a risk of wide variation in the types and quality of indicators being tracked and little consistency on tracking indicators that communicate results. This prevents a clear overall picture of by-law enforcement across the City and, without properly defined targets, could create a misconception that goals and objectives are being achieved.

Performance Measurement Data Tracking

- Performance measurement is a process of tracking and analyzing data to assess how an organization is performing in comparison to its objectives, goals, and performance targets. Performance measures can be both quantitative and qualitative.
- There are different type of performance measures that can be grouped, for the most part, into three major categories – input and output measures, efficiency and effectiveness measures, and outcome measures. Typically, outcome measures provide a more complete perspective on whether objectives and goals are being achieved. Efficiency and effectiveness measures provide information on how well resources are being used and whether service expectations are being met. Input and output measures focus on variables that can be used in combination with other variables to determine results; on their own, they don't always paint a full picture of performance.
- The Audit Department requested a detailed listing of performance measures and related data from 2015 and 2016. Our observations and analysis are based on the information received from by-law enforcement areas in response to our requests.
- The WPA and CBES make up the majority of the City's enforcement efforts. They provided us with performance measurement data, a number of them being input and output measures. The remaining six enforcement areas provided very limited or no performance measurement data.
- We used the grouping in **Appendix 6** (key enforcement goals, as defined in section 2.2, and performance measures under each goal) and the performance measurement data received from enforcement areas, to analyze whether the type of data being tracked was sufficient to assess the performance of enforcement areas.

- For the enforcement function, we noted that six out of the eight by-law enforcement areas were tracking no performance measures to assess achievement of what we believe are the key by-law enforcement goals for that phase.
- From our analysis we observed that although both CBES and the WPA do not have defined goals and objectives for enforcement, they are tracking a majority of the performance measures defined to assess achievement of the enforcement phase key goals.
- For the screening and adjudication function, CBES and the WPA are both tracking various performance measurement variables that when combined can be used to calculate the defined key performance measures for the screening and adjudication functions of the enforcement process. However, it is reasonable that other areas don't track data for screening and adjudication, since the City has just begun administrating these functions. The same stands true for payment collections.
- With the definition and communication of corporate goals for by-law enforcement, and departmental goals and objectives, all enforcement areas will be able to improve on the quality of performance measures they are tracking. Defined goals and objectives provide focus and direction. Defined goals may require only a few key measures to assess performance, which reduces the effort required to track numerous measures.
- Performance information being collected ideally should be sufficient to assess the performance of the operations of each enforcement area. And as goals and objectives evolve, and the industry changes, performance measurement data should also evolve to remain relevant.

Data Reviews, Monitoring Performance and Reporting

- The usual progression in effectively monitoring operations is to begin with developing goals and objectives, then to define measurable targets and indicators to assess whether objectives are met. Following that is to gather appropriate and relevant performance measurement data in enough sufficiency to make that assessment.
- However, if all the above procedures are in place and nothing is done with the information, those charged with oversight will be unable to effectively determine if operations are achieving service objectives.
- Control activities are an essential part of the by-law enforcement process. Data should be reviewed for errors and performance should be reviewed and monitored against established targets and indicators. Safeguards should be in place to ensure enforcement officers are complying with by-law enforcement process requirements.
- From discussions with key staff involved in the by-law enforcement process, we noted that most departments have quality control reviews, feedback processes, and follow up procedures to oversee enforcement activities. There are also other area-specific safeguards to monitor adherence to enforcement protocols, and to monitor data for accuracy and completeness. In some enforcement areas, the control procedures may not be formally documented, but they are built into the process.
- Undocumented processes could lead to inconsistent application, or could gradually stop being performed; as a result, it is important to formally document procedures and processes to mitigate these risks, to set clear expectations, and to safeguard transfer of knowledge with staff turnover.
- In most enforcement areas, there doesn't appear to be any consistency in formal reporting on performance of by-law enforcement operations to individuals charged with oversight responsibility. In those areas, when reporting is done, it is typically in an ad-hoc manner or upon request.

RECOMMENDATION 5			
We recommend that the Chief Administrative Officer develop and document objectives and goals specific to the by-law enforcement activities of each department. These goals should be in line with, and support overall corporate goals and objectives.			
RISK AREA	Business Process	**ASSESSMENT**	Critical
BASIS OF ASSESSMENT	The majority of by-law enforcement areas do not have defined by-law enforcement goals. As a result, most enforcement areas are not actively assessing how well they are performing.		
MANAGEMENT RESPONSE			
Each department and Special Operating Agency representative on the working group developing the strategy will be required to develop and document objectives and goals specific to the by-law enforcement activities of their respective department and Special Operating Agency.			
IMPLEMENTATION DATE	Q4 2019.		

RECOMMENDATION 6			
We recommend that the Chief Administrative Officer: *a) Define measurable performance targets and indicators that can be used to measure achievement of objectives.* *a) Track and analyze performance measurement data to assess how each enforcement area is performing against its objectives, goals and targets.*			
RISK AREA	Business Process	**ASSESSMENT**	Critical
BASIS OF ASSESSMENT	Most by-law enforcement areas do not have clear, measurable performance targets of indicators. There is a need to improve on performance measurement tracking in order to adequately assess whether enforcement areas are achieving their goals and objectives.		
MANAGEMENT RESPONSE			
Each department and Special Operating Agency representative on the working group developing the strategy will be required to define, track and analyze performance measures/KPIs specific to their objectives and goals. Departments and Special Operating Agencies who already track by-law enforcement related performance metrics will present those to the working group as examples of what type of metrics can help to ensure an effective by-law enforcement program implementation. The working group will also identify what performance metrics should be used from a corporate perspective to identify if the overall corporate by-law enforcement approach is meeting its intended goals and objectives.			
IMPLEMENTATION DATE	Q4 2019.		

RECOMMENDATION 7			
We recommend that the Chief Administrative Officer establish and formally document a process for reporting, review and monitoring of performance results.			
RISK AREA	Business Process	**ASSESSMENT**	High
BASIS OF ASSESSMENT	Control activities should be designed as an integral part of the by-law enforcement process because without these controls there is a risk that important trends could be missed or gaps, issues or deficiencies in the enforcement process may go unnoticed and may impact the overall effectiveness of the enforcement process.		
MANAGEMENT RESPONSE			
The corporate and department/Special Operating Agency specific performance metrics will be published annually in the *Community Trends and Performance Report*. Internally it will be recommended to the working group to consider quarterly review of performance metrics, so that any deviation from goals and objectives can be corrected throughout the year and ensure greater success of the overall strategy.			
IMPLEMENTATION DATE	Q2 or Q3 2021.		

ORGANIZATIONAL STRUCTURE

3.1 Organizational Structure for By-Law Enforcement Services

Issue

- Should the Winnipeg Parking Authority maintain responsibility for administration of screening, adjudication and collection functions for City by-laws enforced under the MBEA or are those responsibilities more appropriate under another governing body?

Conclusions

- With a focus on rebranding, communication and marketing efforts to overcome perception and independence obstacles, the Winnipeg Parking Authority appears best suited to administer screening, adjudication and collection functions for City by-laws under the MBEA. They have well established processes that include emphasis on quality assurance reviews, are equipped with IT infrastructure and currently have the highest volume of fines overall and highest volume of cases that go through the screening, adjudication and collection process. They also have the most experience under the MBEA.

Analysis

- With the enactment of the MBEA, the Province devolved responsibility related to by-law screening and adjudication, and collection services to the City. Currently, to facilitate the newly devolved by-law responsibilities, the City is leveraging the WPA to administer these functions, including hiring and paying for screening officers, providing space, and paying a per diem to the Province for time spent by provincial adjudicators.
- Based on research performed on other jurisdictions by the consultant we hired, there aren't any clear trends as to what may be considered best practices. Overall, the consultant's findings indicate that cities that are taking steps to manage screening and adjudication, and collection services are leveraging their parking authorities to assist in administrative processes behind screening and adjudication and collection services (not necessarily screening itself). The parking authorities already have resources such as screening officers and administration staff to assist in these processes and generally are more advanced in their overall infrastructure and information systems compared to most branches.

Jurisdictional Information

- The City of Calgary has a few screening officers within the City that provide screening and adjudication services; however, the majority of prosecution and collection services are managed at the Provincial level. The Calgary Parking Authority is an example of a by-law unit that retains screening officers to process and adjudicate tickets. However, appeals go to the Provincial courts.
- The City of Hamilton has been implementing a new screening and adjudication process by means of the City of Hamilton Administrative Penalty System (APS) By-law. This by-law provides Hamilton the authority to prosecute offences under its own laws without the necessity of going to Provincial court. The APS system is similar to the MBEA process that Winnipeg is currently implementing. The APS system has been used to prosecute parking ticket offenses in Hamilton over the previous two years. Hamilton is currently working on integrating animal services offences to be prosecuted the same way. Eventually, the goal is to have all municipal by-laws prosecuted under the APS system. It is unclear at this time, however, whether parking screening officers will handle non-parking violations.

- The Province of British Columbia enacted the Local Government By-Law Enforcement Act in 2003. It sets Provincial standards for the enforcement of local government by-laws by means of by-law notice, outlines a system for by-law notice dispute adjudication and sets standards for the collection of outstanding by-law notice penalties. The by-law notice adjudication system has potential application to a variety of by-laws, and was specifically designed to deal with minor by-law violations in areas such as animal control, business license, zoning, building codes, environmental, lawn sprinkling, noise control, fire prevention and park matters. The research indicates that British Columbia municipalities adopting the adjudication system typically use it for parking, with pockets of municipalities using it for other minor by-laws as well. However, from research performed and information provided, there is no indication that screening officers are centralized; different departments may have their own screening officers.

Organizational Structure Options for Consideration

- Screening, adjudication and collection under the authority of the WPA is a temporary arrangement and, as such, there's an opportunity to consider a more permanent structure, that is, whether screening, adjudication and collection should remain centralized at the WPA (Option 1 discussed below), whether it should be moved, completely or partially, to another area centrally (Options 2 and 3) or possibly a decentralized or hybrid option (Option 4).

Option 1: Centralization under the Winnipeg Parking Authority

- In a centralized structure, the top layer of management has most of the decision-making authority and has tight control over processes.
- One option would be for the screening, adjudication and collection functions to remain centralized at the WPA beyond the interim period. The WPA is a viable option to retain responsibility as it has invested time and effort to hire and train resources, has updated information systems to administer the screening and adjudication processes, and has made changes to infrastructure to accommodate screening officers and adjudicators.
- The WPA has well-established processes that include quality assurance procedures used to ensure a high level of service quality, promote consistency, and used as a control measure to address any deviations from expectations.
- In addition, the volume of cases going through screening and adjudication are predominantly parking fines and it has the most experience with screening and adjudicating by-law infractions as it has been under the MBEA since August of 2016.

Knowledge, Skills and Qualifications:

- With the centralization of the screening process, there is a risk that the screening officers may not have the required knowledge to provide expert decisions on the wide range of by-law enforcement regulations. The impact of this is that there could be an under achievement of service standards, inconsistent interpretation and application of regulations leading to a loss of confidence in the system by the public that could further lead to more cases going to adjudication and possibly increased costs.
- In discussions with the WPA on what steps it undertook to mitigate this risk, it indicated that it hired a diverse group of individuals with experience in by-law enforcement covering different areas of enforcement. It has also implemented a collaborative atmosphere whereby screening officers will provide assistance and support among themselves. Two of the screening officers are former by-law enforcement officers so they have been valuable in assisting the team with a general understanding of some of the more complex matters.

- Prior to November, when the MBEA was enacted for other by-law enforcement areas, the WPA reached out to the issuing departments to see if they would be interested in presenting some material on understanding their enforcement processes and the by-laws they issue under, which resulted in several training days. The WPA also had the Legal Services Department review the amendments to the legislation and provide general information from a legal perspective.
- The screening officers also completed some on-field “ride along” training with both the Community By-law Enforcement Services Branch and the Animal Services Agency, which are the most highly represented ticketed departments so far outside of the WPA. The WPA also has some additional training tentatively scheduled with two other issuing departments who they have seen more cases from.
- Additionally, we assessed the qualifications required for screening officers in comparison to the qualifications required under the Provincial system. The goal was to ascertain whether skill and knowledge requirements at the City were at least at par or comparable to what was required for individuals hearing by-law cases under the Provincial system as it indicates whether screening officers at the City have the knowledge and skill requirements to carry out their duties to a satisfactory level.
- Under the Provincial system, the officers performing screening were responsible for all by-law offences, which required broad knowledge and understanding of the varying by-laws.
- We found that the City requirements were in line with the Province in terms of qualification, experience and educational requirements.

Information Systems:

- Also under a centralized structure there’s a risk of incompatibility between the information systems used by all by-law enforcement areas. Within the City, none of the systems used in each enforcement area is compatible with the system used by the WPA. This is resulting in a duplication of effort as enforcement data has to be entered into two systems – one system in the area responsible for enforcement and the second system being the WPA’s for screening and adjudication purposes. This may lead to increased costs and a possible increase in error rates due to entering data into multiple systems. The business architecture initiative by the Chief Innovation Officer (CIO) may provide solutions to incompatibilities and data sharing.
- In discussion with its Chief Operating Officer, the WPA is currently working on a scope to build a “code enforcement” application that will be available to all enforcement areas. This will allow the mobile issuance of tickets, by enforcement officers, in the field thus eliminating the duplication of data entry and possible entry errors. The WPA is consulting with the CIO on this initiative but it is not currently part of the larger business architecture initiative.
- In the meantime, however, effective oversight and review of data entry will mitigate the risk of errors.
- With incompatible systems, timely coordination of efforts and sharing of information becomes critical as accurate information has to be readily available to screening officers within days of a violation to achieve targeted levels of service standards.

- In discussion with the Quality Assurance Coordinator at the WPA, she provided very in-depth data entry training to the departmental delegates from other by-law enforcement areas. In doing so, she stressed that the information from the ticket issuance must be entered into T2 Flex (WPA's operating system) and the accompanying evidence included in a shared network drive within 24 hours. The WPA also advised in follow-up contact with the departments that this will always remain critical, due to the timelines associated with the MBEA and the option for citizens to pay a ticket immediately (on-line/311, etc.).
- Based on the WPA's assessment since taking over screening and adjudication for all enforcement areas, it has been successful in this area and has had less than a handful of occasions where the information failed to be entered or uploaded. In those instances the Quality Assurance Coordinator, who is the liaison, has had to reach out about three to five times to remind the department to enter the information in order to facilitate ticket payment or an appeal.

Independence and Public Perception:

- Additional risks under this option include an independence and public perception issue.
- From the public's viewpoint, there could be a perceived independence issue in the sense that the same organization that is issuing fines is also the same organization screening them, calling into question the fairness of the system and objectivity of screening officers. This issue may exist regardless of which department is overseeing the process as every department may not be seen as being fully independent as they are all under the same City umbrella.
- The perception issue on the other hand is likely linked directly to the WPA. Its approach to enforcement varies from most of the other enforcement areas; its focus is more on ticket issuance, with some educational initiatives, while other areas tend to focus more on education and compliance measures. As a result, the public may view the WPA as a revenue generator in comparison with some of the other by-law enforcement areas within the City as a large part of its responsibility is enforcing parking violations, a part of its operations that is very much in the public eye.
- Because of this perception, having screening and collection under the WPA's authority may impact the public's perception of the overall process.
- The physical location of where screening currently takes place may also be a perception issue as citizens would be walking into the parking authority building to pay an overgrown lawn fine for example. The optics doesn't reflect an independent body responsible for screening and collection services related to all by-law enforcement.
- The adjudication process mitigates some of this risk. Adjudication is impartial and is performed by a third party adjudicator appointed by the Province of Manitoba. By having a third party adjudicator, there is objectivity built into the system through the legislation passed by the Province.
- To mitigate these risks further, the City could also undertake re-branding and marketing efforts. The goal being to inform the public and other by-law enforcement areas that a new body with a new mandate has been created. And that its authority will not only encompass parking related fines and services but also screening of all by-law enforcement infractions.
- Any effort to re-brand the WPA will likely require consulting with the Legal Services Department and will require a change in the WPA's Operating Charter and Council approval.

- If approved, a new name that reflects the responsibilities of the authorized body would be required, and that includes changing the physical name/signage on the current location.
- From discussion with senior staff members, one area outside the scope of this audit, vehicle for hire services, has also been recently added under the authority of the WPA. This added responsibility further would be another reason why the current Charter may need to be updated to reflect the WPA's growing responsibilities and why re-branding and renaming efforts are of importance.

Option 2: Centralization under a New Special Operating Agency (SOA)

- If the Public Service were to consider a centralized structure but not at the WPA, it can consider taking advantage of the fact that the WPA completed renovations to the screening and adjudication area in a way that it accommodates a move to a different space in the future. The front counter screening officer area and adjudication rooms can be disassembled and relocated. Currently the Susan A. Thompson Building on 510 Main Street is seen as a central location within the City. However, the WPA would need to invest in another front counter system, similar to the existing setup, to be able to continue to conduct other non MBEA/POA service delivery to the public.
- A benefit to utilizing the space at the Susan A. Thompson Building, for screening, adjudication, and collection, is that it may address the public perception and independence risk discussed under Option 1 above, while still taking advantage of the expertise and IT infrastructure that the WPA has invested time and effort into.
- If citizens attend a location that is completely separate from the current parking store, they may view it as a separate body altogether and may have more confidence in the fairness and objectivity of the system and those charged with executing it. However, as previously noted, the risk of independence cannot be fully mitigated because no matter the location of these services, they still fall under the City umbrella in comparison to when it was at the Province, which is viewed as a separate organization.
- In addition to the benefit in the bullet above, and the risks associated with a centralized structure discussed under Option 1 (screening officer knowledge and IT system incompatibility), there could also be some logistical challenges around back office support and expertise WPA staff possess; expertise and support that are currently integral to the smooth operation of screening, adjudication and collection functions. However, from discussion with senior staff members, there appear to be more advantages to leaving screening, adjudication and collection centralized at the WPA as opposed to elsewhere under a new SOA.
- While the option of centralization under a new SOA is a viable option, the structure recommended under Option 1 (centralization under the WPA) to re-brand and revisit the current WPA charter is less invasive logistically and could achieve the same benefits as setting up a new SOA to centralize screening, adjudication and collection under.
- And if effectively applied, communication strategies (under Option 1) may increase public acceptance and confidence in the new screening, adjudication and collection processes regardless of where they are physically located, at the current parking store at 495 Portage Avenue or elsewhere.

Option 3: Centralization under both the Winnipeg Parking Authority and Corporate Finance

- At the onset of our audit, we anticipated that there may be varying positions on where to have screening, adjudication, and collection after the interim period.
- One option discussed was to leave the screening and adjudication functions at the WPA for the reasons mentioned under Option 1 – that it is a viable option to retain responsibility as it has invested time and effort to hire and train resources, has updated information systems to administer the screening and adjudication process, and has made changes to infrastructure to accommodate screening officers and adjudicators. But to centralize the collection function (receiving payments) under Corporate Finance solely based on the fact that the collection function deals with money and may more appropriately fall under the Corporate Finance umbrella.
- So the third option presented would be to leave the screening and adjudication functions centralized at the WPA and move receiving payments, for by-law enforcement activity alone, to the City's financial area. This option takes advantage of the space and clerks that are set up in the Susan A. Thompson Building at 510 Main Street.
- The benefits and risks to centralization have been discussed previously. Nevertheless, this option may also serve in mitigating the perception risk associated with the WPA, i.e., that the WPA in comparison with other enforcement areas focuses more on enforcement as opposed to education and compliance.
- On the other hand, having two separate physical locations can be inconvenient for citizens to attend one location for screening and adjudication and then a separate location to make payments.
- When a citizen contests a ticket through a screening officer, if the fine is upheld, the citizen may want to pay the fine immediately through a clerical support person. If payments have to be made at a separate location, it may increase the risk of fines not being paid as a result of the inconvenience. This will lead to fines going to a collection agency, which, according to the WPA, is harder to collect on.
- In addition, the WPA informed that if a citizen comes to buy a service from its Parking Store and has an outstanding fine, they cannot get that service until the fine is paid. If the citizen does not have the ability to pay the fine directly at WPA, they would be required to go to Corporate Finance pay the fine and come back to buy the service from WPA at a later date.
- In the event that payment processing related to MBEA or POA is removed from the Parking Store, the WPA would still need to employ clerical staff to take payments for other services that it offers. Those services include, for example, permits for vehicle for hire fees, residential parking permits, mobile food vendor permits, on-street parking permits, surface lot parking permits, peggo cards, on street scratch coupons, etc.
- Under this option, the WPA can retain the responsibility of booking adjudication and collecting any deposits or fees that relate to the adjudication process.

Option 4: Decentralization or Hybrid

- The last option presented would be to have the entire enforcement process decentralized in the various enforcement areas or to have some areas centralized with other areas (based on similarity in types of by-laws and the areas they cover) and others remain decentralized on their own – a hybrid option.
- In a decentralized structure, the decision-making authority is distributed and the departments and divisions may have different degrees of independence.
- In a hybrid structure, an organization displays characteristics of both a centralized and a decentralized structure.

- Decentralizing screening and adjudication would eliminate the risk of incompatible information systems and duplication of efforts relating to data entry and the increased risk of error that comes with that. However, it may mean increased costs incurred by each enforcement area to develop software that can support their respective screening, adjudication and collection functions.
- Under a hybrid structure, for areas that are centralized, the risk of information system incompatibility discussed under Option 1 remains - duplication of effort as enforcement data has to be entered into two systems resulting in a possible increase in error rates due to entering data into multiple systems.
- As discussed previously, with incompatible systems, timely coordination of efforts and sharing of information becomes critical as accurate information has to be readily available to screening officers within days of a violation to achieve targeted levels of service standards.
- The knowledge requirements for screening officers may also be decreased under both a decentralized or hybrid structure as their knowledge requirements will be focused on fewer by-laws relating to the specific enforcement areas they are in. However, overall expenses to the City may be more to cover costs of hiring and training more screening officers than may be required under a fully centralized structure.
- If the screening and adjudication process is decentralized or hybrid, there is a risk of inconsistencies in service quality and delivery. For example varying wait-times, variations in the quality of screening decisions, and confusion from having multiple locations for different by-law violations, all of which could lead to public confusion and potentially mistrust in the system.

RECOMMENDATION 8			
We recommend to the Chief Administrative Officer that the screening, adjudication and collections functions of all by-law enforcement remain under the authority of the Winnipeg Parking Authority.			
RISK AREA	Organizational Structure	**ASSESSMENT**	High
BASIS OF ASSESSMENT	Compared to other departments, the Winnipeg Parking Authority is generally more advanced in their overall infrastructure and information systems, to take on the responsibility of screening, adjudication and collection for by-law enforcement. If elsewhere, until departments are completely familiar and comfortable with the new legislation, there is a risk that processes will not be in accordance with legislation or that screening officers may not fully understand their responsibilities under the new process, impacting service quality.		
MANAGEMENT RESPONSE			
The Chief Administrative Officer will direct the Winnipeg Parking Authority to prepare and submit a report to Council that includes updates to their Operating Charter to reflect the permanency of the screening, adjudication and collections functions of all by-law enforcement under their authority. The Legal Services department will be consulted on the changes to the Operating Charter.			
IMPLEMENTATION DATE	Q2 2019.		

RECOMMENDATION 9			
We recommend that the Chief Administrative Officer pursue re-branding efforts and amendments to the Winnipeg Parking Authority's Operating Charter. This should be done in consultation with the Legal Services Department and with final approval from Council.			
RISK AREA	External Environment	**ASSESSMENT**	Moderate
BASIS OF ASSESSMENT	There has been a significant change to the by-law enforcement process with the enactment of the MBEA. If the previous recommendation to keep screening, adjudication and collection under the authority of the Winnipeg Parking Authority is accepted it will be operating outside the scope of their mandate under the Operating Charter. Under an interim arrangement this is okay, but under a more permanent structure it is important to re-brand and update the Operating Charter to encourage public acceptance and also to affirm their authority to the remaining departments involved with by-law enforcement.		
MANAGEMENT RESPONSE			
The report being prepared for Council submission as outlined under the recommendation that the screening, adjudication and collections functions of all by-law enforcement remain under the authority of the Winnipeg Parking Authority, will include re-branding efforts. Corporate communications will identify the most effective re-branding approach. Consideration will be given to re-branding the Winnipeg Parking Authority to better reflect the additional new service lines from the Municipal By-Law Enforcement Act (MBEA)/Provincial Offences Act (POA) and Vehicle for Hire By-Law.			
IMPLEMENTATION DATE	Q2 2019.		

RECOMMENDATION 10			
We recommend that the Chief Administrative Officer implement a communication strategy targeted at educating the public on changes to the by-law enforcement screening, adjudication and collection process. The communication should include information on the authority awarded to the Winnipeg Parking Authority, changes to the Operating Charter, if approved by Council and re-branding information.			
RISK AREA	External Environment	**ASSESSMENT**	Moderate
BASIS OF ASSESSMENT	An important part of a significant change in process or re-branding effort is communication. Effective communication keeps people informed and promotes understanding, which can lead to greater receptiveness, success and less pushback.		
MANAGEMENT RESPONSE			
Corporate Communications will be directed to develop and implement the most appropriate communications strategy.			
IMPLEMENTATION DATE	Q3 2019.		

3.2 Realignment Considerations for By-Law Enforcement Areas

Issue

- Are there alignments that can be made to the enforcement phase of by-law enforcement that may aide or propel enforcement areas towards greater achievement of enforcement goals and objectives?

Conclusions

- There are opportunities to improve consistency in enforcement levels and overall process efficiencies. The Parks by-law can be realigned under the CBES and the Streets by-law under the WPA. The *Parks By-law* is currently not being enforced and there is very little enforcement of the *Streets By-law*. Staff within the Public Works enforcement area, responsible for enforcing these by-laws, informed that it is as a result of limited to no resources being available. By utilizing resources in enforcement areas that have stronger processes, more resources and more percentage of FTEs allocated specifically to enforcement activities, they can take on enforcement from these areas to improve achievement of enforcement goals and objectives.

Analysis

- Assessing under whose authority screening, adjudication and collection functions will be under on a more permanent basis has also provided an opportunity to assess whether there can be some reorganization at the front end, the enforcement function. The purpose is to improve consistency in enforcement levels and improve overall process efficiencies and to strengthen the entire process as a whole.
- Key enforcement goals are defined in section 2.2. Our analysis was performed to determine what realignments would create a stronger process to help meet these goals and objectives.
- Part of our assessment included obtaining jurisdictional information, where available, through the assistance of a consultant.

Key Considerations from Other Jurisdictions

- Jurisdictional research indicates by-law services are organized quite differently between municipalities. Municipalities are moving toward more centralization or hybrid models to improve the effectiveness of by-law service delivery. And from lessons learned from other municipalities, moving towards a more centralized model is best done in a planned and phased-in approach.
- Some municipalities have experimented with the integration of different by-law services areas to determine if areas fit together within a common category. An example includes Calgary which moved Development and Building Approvals (DBA) into its centralized by-law branch but then moved DBA back into their Planning and Development department, realizing that there was a closer fit within that department.
- Some municipalities are interested in hybrid by-law enforcement officers (officers that enforce for multiple enforcement areas with varying by-laws as opposed to each enforcement area having their own officers); however, they are not well tested. Hybrid by-law enforcement officers may be a viable solution to improve efficiencies across general by-law enforcement (e.g. property standards, licensing, animal control, graffiti, etc.); however, without investment into specialized training, they may not be well suited for by-law enforcement where specialized knowledge is required, such as zoning legislations, water and waste, and property and development.

- From lessons of other municipalities, the consultant has recommended that the City of Winnipeg can consider a phased-in, planned approach toward a hybrid model with more centralization of by-law services, if that is the avenue they are considering. Most centralization starts with a key branch or unit with responsibility for general and community standard by-laws then incrementally add other units.
- The CBES is already in place to be a centralized unit, with well-established policies, procedures, performance measures and reporting. Prior to 2008, the responsibilities for enforcing City by-laws relating to neighbourhood liveability, and protecting and enhancing the health, safety and well-being of people and property, were divided among various departmental divisions of the Public Service. Almost every department was involved in enforcing particular by-laws, or sections of by-laws. In 2008, the stand-alone CBES was created in the Community Services Department. The *Neighbourhood Liveability By-law* was also created to consolidate many of the by-laws that the CBES would be responsible to enforce.
- Decisions of the City should carefully consider the capacity and capability and differences of different units in efforts to integrate units and move toward further centralization.

Reorganization Considerations for the City of Winnipeg By-Law Enforcement Areas

- Resources allocated to enforcement vary from department to department. Some areas have over 50 FTEs to as few as 4 FTEs in other areas. Some FTEs are 100% allocated to enforcement activities while in some other areas enforcement is performed off the side of a desk with very minimal time being spent on enforcement. Some areas do not have any FTE to perform enforcement and as a result there are no enforcement activities.
- The Audit Department performed an analysis to identify whether the responsibility to enforce certain by-laws could be absorbed by other by-law enforcement areas - areas that have stronger processes and more resources available. The purpose is to alleviate some of the pressure from areas that have little to no resources or FTEs to actively perform enforcement and to be more efficient in terms of utilizing one enforcement area to cover similar by-laws rather than two areas covering by-laws that can fall under the same umbrella.
- The analysis took into consideration not only resources and similarities in by-laws but also considered whether there were any special knowledge requirements or expertise required to enforce the by-laws in question.
- Areas where there appeared to be lower enforcement activity, from discussions with key staff, were also looked at to see if those enforcement activities could be moved elsewhere to promote consistency in enforcement across the City.

<u>CBES, the WPA and Animal Services</u>

- The CBES, the WPA and Animal Services typically have a higher volume of incidents and have a greater number of resources with a higher percentage of time dedicated to enforcement than the other by-law enforcement areas. For this analysis, due mainly to their enforcement volumes, they were not considered for realignment. Additionally, the CBES is considered more of a central enforcement area and both the WPA and Animal services more of stand-alone enforcement areas.

PP&D, Fire and Paramedics, and Water and Waste

- There were a few areas such as the PP&D, Fire and Paramedics, and Water and Waste where enforcement requires special technical knowledge; these areas could not be easily realigned with other enforcement areas for that fact, neither would it be practical.
- Typically, enforcement is carried out during inspections that require specialized knowledge and expertise

Transit

- Enforcement at Winnipeg Transit is an area that proves more challenging to navigate as most violations occur on buses.
- The transit drivers have the authority to issue fines, but it would be impractical to both drive the bus and to issue tickets. Taking the time to author and serve tickets would interfere with keeping the bus on time, and could also present personal safety issues for the driver.
- Transit supervisors are typically notified when there is a violation, and they can attempt to enforce before the citizen leaves the bus. But from the enforcement data provided, there haven't been many fines issued to date.
- Having Winnipeg Transit's enforcement activities moved to another enforcement area is not a practical solution either. Because the majority of the offences occur on buses, the coordination that would be needed between transit drivers, other transit functions, and the enforcing area would be increased. This could potentially create more work and may deter rather than promote enforcement.

Public Works

- There are a couple by-laws currently under the Public Works department that can be considered for realignment. They are the *Parks By-law* (85/2009) and the *Streets By-law* (1481/77).
- In discussions with key staff from the Public Works department, they currently do not enforce any Park by-laws due to a lack of resources and they enforce very little of the Streets by-law.
- The *Parks By-law* can be moved to the CBES. Enforcing the by-law does not require any further specialized knowledge beyond what the CBES officers possess and the types of by-laws that fall under the Parks by-law would not be considered vastly different from the types of by-laws CBES is currently enforcing.
- The *Streets By-law* can be moved to the WPA as it already spends time patrolling the streets, and has more enforcement resources as well as the capacity to tow/remove vehicles on a timely basis.
- Both moves could potentially increase enforcement and increase compliance.

RECOMMENDATION 11

We recommend that the Chief Administrative Officer evaluate the opportunity to reassign the responsibility of enforcing the Parks by-law under the Community By-Law Enforcement Services Division and the Streets by-law under the Winnipeg Parking Authority.
Consideration should be given to assessing enforcement areas on a continual basis to determine if further realignments are needed to improve services overall and to ensure the City is in the best position to meet by-law enforcement goals and objectives.

RISK AREA	Organizational Structure	ASSESSMENT	Moderate
BASIS OF ASSESSMENT	Currently there are by-law enforcement areas that have expressed that they simply do not have enough resources or none at all to actively carry out by-law enforcement. This increases the risk of inconsistencies in service delivery and quality if some departments are enforcing and some are unable to do so. Ultimately this may impact achieving by-law enforcement goals and objectives.		
MANAGEMENT RESPONSE			
Prior to the working group work being initiated to develop a draft corporate strategy and administrative directive, the Chief Administrative Officer will set up a meeting between the Public Works department, the Winnipeg Parking Authority, Community By-Law Enforcement Services Branch, and the Legal Services department, to review this recommendation and to identify if there are any barriers, including financial or human resourcing, and impacts to implementing this recommendation. Provided there are no significant barriers to accomplishing this recommendation, meeting participants will identify and bring forward a plan with respect to implementing this recommendation.			
IMPLEMENTATION DATE	Q4 2018.		

APPENDIX 1 – Audit Methodology

MANDATE OF THE CITY AUDITOR

- The City Auditor is a statutory officer appointed by City Council under *The City of Winnipeg Charter*. The City Auditor is independent of the Public Service and reports directly to Executive Policy Committee, which serves as the City's Audit Committee.
- The City Auditor conducts examinations of the operations of the City and its affiliated bodies to assist Council in its governance role of ensuring the Public Service's accountability for the quality of stewardship over public funds and for the achievement of value for money in City operations.
- Once an audit report has been communicated to Council, it becomes a public document.

PROJECT RISK ANALYSIS

- Our audits are conducted using a risk-based methodology. We considered the following *potential* risks and focused our resources where they could provide the greatest value:
  - Is there a corporate strategy for by-law enforcement that assesses risk and clearly defines goals and objectives? Has this been communicated?
  - Have policies and procedures been developed, documented and communicated? Are they in line with corporate directives?
  - Have clear performance indicators and targets been developed?
  - Is performance reported, monitored and evaluated against targets and indicators?
  - Have control activities been designed and integrated into each by-law enforcement area?
  - Do screening officers have the necessary knowledge, skills and tools to provide expert decisions on a wide variety of by-laws? To support the achievement of service objectives? Are they adequately trained?

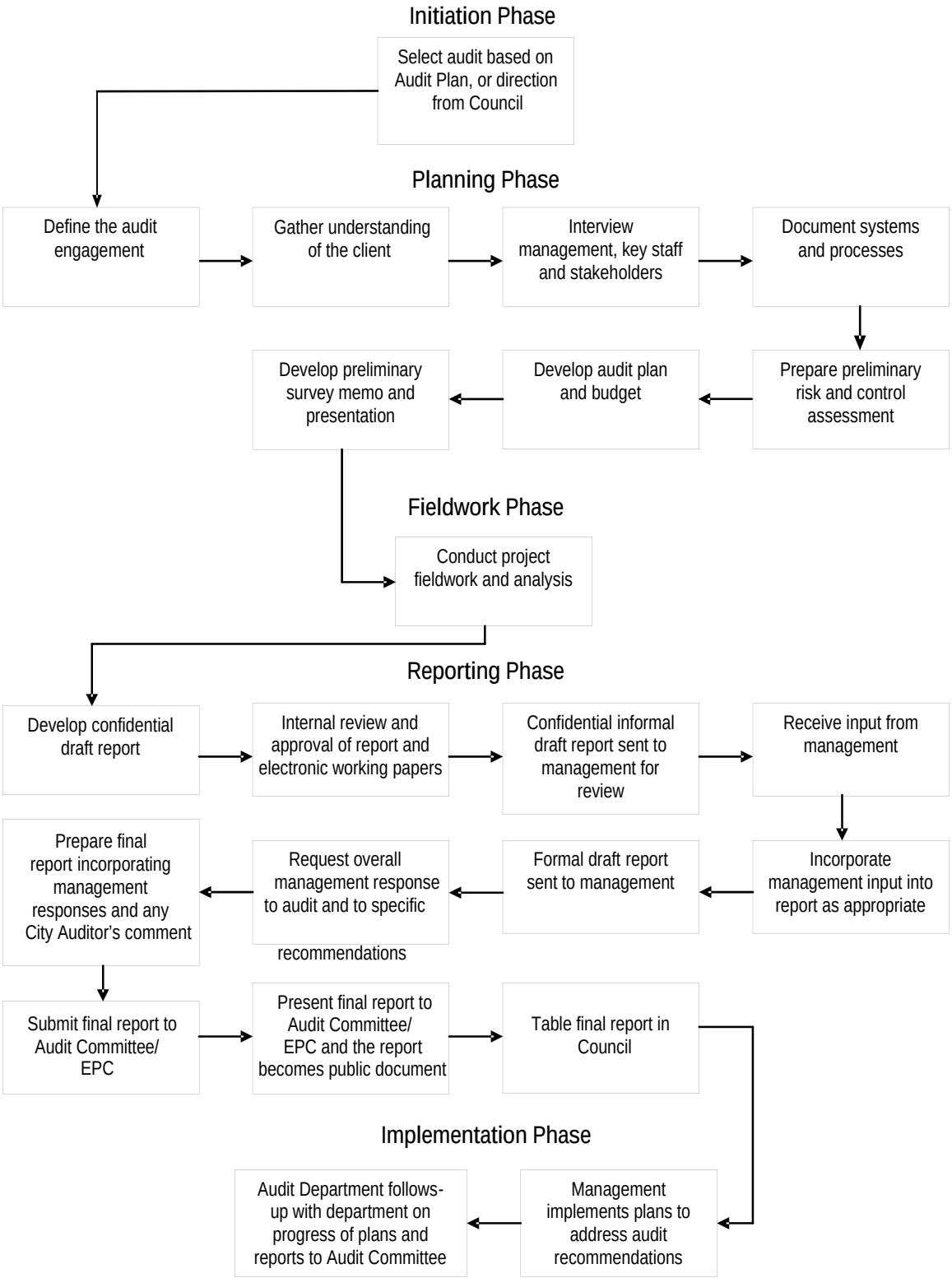
SCOPE

- The scope of our audit included a review of performance metrics, policies, procedures and legislations that were relevant in assessing strengths and areas of opportunity within the current state of by-law enforcement at the City of Winnipeg.
- It included jurisdictional research and analysis to gather information on leading/best practices as they related to by-law enforcement administrative structures.

APPROACH AND CRITERIA

- We conducted our audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient appropriate evidence to provide a reasonable basis for our observations and conclusions, based on our audit objectives. We believe the evidence we have obtained provides a reasonable basis for our observations and conclusions.
- To gather sufficient appropriate evidence for our audit we conducted interviews with the managers and staff within the various by-law enforcement areas. The purpose was to gain an understanding of the current services, policies, procedures and practices, and changes to the City's enforcement processes, if any, given the coming changes in legislation. We obtained and evaluated financial and performance data from each division, where available. We reviewed the training manuals and standard operating procedures maintained by each division.
- We hired a consultant to perform research on by-law enforcement and by-law administrative structures in other jurisdictions used to enforce, screen and adjudicate, and collect on by-law infractions.
- Our fieldwork compared the by-law enforcement operations within the City to other jurisdictions and to industry performance information.
- The guiding documents we used included:
    - City of Winnipeg Audit Department, *Community By-Law Enforcement Services Audit Report*, July 2015.
    - City of Winnipeg Audit Department, *Animal Services By-law Enforcement Report*, December 2010.
- Industry information used to evaluate by-law enforcement in the City included:
    - Ammons N. David, *Municipal Benchmarks, Assessing Local Performance and Establishing Community Standards*, Third Edition, 2012 M.E. Sharpe.
    - The Office of the Ombudsperson B.C., *Bylaw Enforcement, Best Practices Guide for Local Governments*, March 2016.
    - Municipal Benchmarking Network Canada, Performance Measurement Report, 2015.

APPENDIX 2 – Audit Process



APPENDIX 3 – Risk Assessment Worksheet

Potential Impacts / Likelihood	Insignificant - None or minor change in services, project or processes - Very limited exposure of sensitive information - Very minor, non-permanent environmental damage - Financial impact < $100K	Minor - Minor change in achievement of service objectives - Limited exposure of sensitive information - Minor, non-permanent environmental damage - Financial impact $100K – $500K	Moderate - Moderate change in delivery of essential services - Exposure of limited amount of confidential information - Moderate environmental damage - Financial impact $500K – $1M	Major - Significant change in delivery of essential services - Exposure of significant amount of confidential information - Significant change in quality of life indicators - Major environmental damage - Financial impact $1M – $10M	Extreme - Unable to perform essential services for extended period Exposure of critical confidential information - Very significant change in quality of life indicators - Significant damage to environment - Financial impact >$10M
Almost certain (Excepted to occur unless circumstances change)	M	M	H	C	C
Likely (Probably occur in most circumstances)	M	M	H	C	C
Possible (Might occur under different circumstances)	L	M	M	H	H
Unlikely (Could occur if circumstances change)	L	L	M	H	H
Rare (May occur in exceptional circumstances)	L	L	M	M	M

Legend

C Critical risk:	Requires urgent action, monitor and review at least weekly by Senior Management and COO, inform CAO and Committee of Council
H High risk:	High impact, monitor and review at least quarterly by management, inform COO
M Moderate risk:	Monitor and review at least quarterly by management
L Low risk:	Review periodically, no explicit action required.

APPENDIX 4 – By-Law Enforcement Staffing

	WPA		Community Services		Animal Services		Water and Waste		PP&D		Public Works		Fire and Paramedic		Transit	
	2016		2016		2016		2016		2016		2016		2016		2016	
	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement	# of Resources	% time dedicated to enforcement
# FTE's	2	50%	18	100%	12	100%	***Environmental Division:** 1. Senior Inspector - 1 2. Inspectors - 2 3. Branch Head - 1 4. Technician - 1 5. BF/CC Clerk - 1 6. Clerical Support - 2 ***Finance Division:** 7. Supervisors - 8. Meter Technicians- 9. C Clerk - *** Water Services Division** 10. FTE's - 6 ***WWD Engineering** *Information not provided	1. 75% 2. 20% 3. 5% 4. 35% 5. 45% 6. 5% 7. .4 FTE 8. 1.5 FTE 9. 0.7 FTE 10. 5%	25	Equivalent of 25 FT- thus 100%	4	Per information received by Public Works: Total 4 FTE positions dedicated to enforcement: 1 in Transportation and 3 in Streets Maintenance-which currently has one of these positions vacant.	**1.** Senior Fire Prevention Officers - 4 **2.** Fire Prevention Officers- 15 **3.** Clerical- 1	**1.** 6% **2.** 20% **3.** 1%	0.24	4%
# PTE's	none	none	1	40%	2	100%	none	none	none	none	none	none	none	none	none	none
# of Seasonal employees	6	100%	3	100%	none	none	none	none	none	none	none	none	none	none	none	none
# of Contract staff assigned	46.38 FTE's	100%	none	none	none	none	none	none	none	none	none	none	none	none	none	none

APPENDIX 5 – References

1. Ammons N. David. *Municipal Benchmarks: Assessing Local Performance and Establishing Community Standards*. Third Edition, 2012 M.E. Sharpe.

2. The Office of the Ombudsperson B.C. *By Law Enforcement: Best Practices Guide for Local Governments*. March 2016, http://www.bcombudsperson.ca/sites/default/files/Special%20Report%20No%20-%2036%20Bylaw%20Enforcement%20-%20Best%20Practices%20Guide%20for%20Local%20Governments.pdf.

3. Municipal Benchmarking Network Canada. *2015 Performance Measurement Report*. 2015, http://mbncanada.ca/app/uploads/2016/11/MBNCanada_2015_Performance_Measurement_Report.pdf.

4. City of Winnipeg Audit Department. *Community By-Law Enforcement Services Audit Report*. July 2015, http://winnipeg.ca/audit/pdfs/reports/2015/CommunityBylawEnforcementServicesAudit.pdf.

5. City of Winnipeg Audit Department. *Animal Services By-law Enforcement Report*. December 2010, http://winnipeg.ca/audit/pdfs/reports/AnimalServicesBy-LawEnforcementAuditFinalReport.pdf.

APPENDIX 6 – Key By-Law Enforcement Goals and Related Performance Measures

Key Enforcement Goals and related Key Performance Measures	WPA	Community Services	Animal Services	Water and Waste	PP&D	Public Works	Fire and Paramedic	Transit
Enforcement								
Goal 1: Compliance with by-laws								
Compliance rate		✓						
Goal 2: Fair Enforcement								
Ticket error rate	✓	✓						
# of cases gone to screening (# of screenings conducted)	✓	✓						
Goal 3: Achievement of Service standards								
Citizen satisfaction survey (%)		✓						
Average response time to complaints	✓	✓						
Incident handling times	✓							
Screening								
Goal 1: Fairness								
% of cases gone to adjudication during the year	●	●						
% of cases upheld by adjudication	●	●						
Goal 2: Consistency								
% of tickets stayed (remained the same)	●	●						
% of tickets pardoned (overturned)	●	●						
Goal 3: Achievement of Service standards								
Average # of cases handled per Screening Officer per year	✓							
Collection								
Goal 1: Completeness and integrity of information								
Fine collection yields (Fines collected as a % of fines imposed)	✓							
Goal 2: Ability to collect amounts owing on a timely basis								
Average collection period	✓							

Tickmarks: ✓: Tracking. ●: Tracking data that can be used to compute key performance measures. **Blank**: Not tracking.